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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,306	06/25/2003	Glenn Carlin	6459-05	3162

7590 07/15/2005

Daniel G. Mackas
McCormick, Paulding & Huber LLP
City Place II
185 Asylum Street
Hartford, CT 06103

EXAMINER

DAVIS, CASSANDRA HOPE

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,306

Applicant(s)

CARLIN ET AL.

Examiner

Cassandra Davis

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-22 is/are allowed.
- 6) ☒ Claim(s) 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

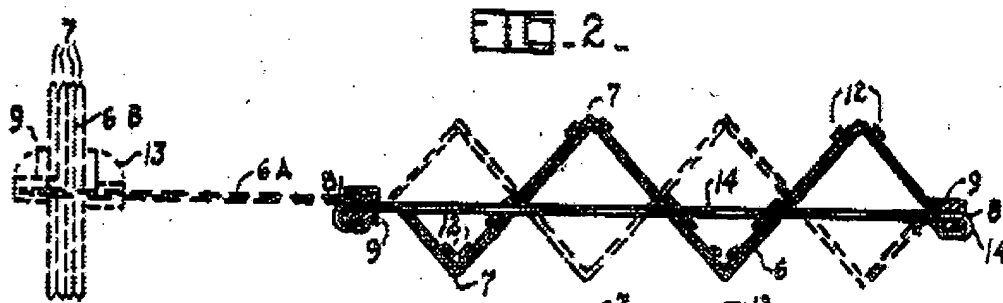
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis, U. S. Patent 3,734,809 in view Cashel, U. S. Patent 4,598,934.

1. A display device comprising a sheet folded along creases 7 to define a plurality of plates, wherein the first plate having a forward surface and a rearward surface and the second plate disposed rearwardly of and adjacent to the first plate. The second plate having a forward surface and a rearward surface and third plate disposed rearwardly of and adjacent to the second plate, wherein the third plate having a forward surface and a rearward surface. (See figures 2 and 4).

Ellis also teaches biasing means in the form of a rubber band 14 for permitting relative movement of adjacent plates between a retracted position and an expanded position when the first plate is pulled generally in a forward direction and for biasing the plates toward the retracted position

for returning the plates to the retracted position when the first plate is released. (See column 2 and lines 1-8). The plates in the retracted position being generally in registration with one another such that the rearward surface of the first plate faces the forward surface of the second plate, and the rearward surface of the second plate faces the forward surface of the third plate whereby generally only the forward surface of the first plate is exposed for viewing information to be displayed thereon from a position generally forward of the display device, and the plates in the expanded position oriented such that the forward surface of the first plate, the rearward surface of the second plate and the forward surface of the third plate are exposed for viewing information to be displayed thereon from a position generally forward of the display device.



With respect to claim 2, 12, and 22, Ellis teaches that the first, second and third plates each have a first edge and a second edge generally at an

opposite end relative to the first edge, the first edge of the first plate is secured to a hang grip 9 to pull the plates from the retracted position, seen in phantom lines in figure 2, to the expanded position, seen in solid lines in figure 2. the second edges of the first plate and the second plate being hingedly coupled to each other at 7, and the first edges of the second plate and the third plate being hingedly coupled to each other at 7 to further facilitate movement of the plates between the retracted position and the expanded position.

Cashel teaches a foldable display wherein the rear panel is adhesively attached to a support panel 12.

It would have been obvious to one having ordinary skill in the art at the time this invention was made to construct the foldable sign taught by Ellis wherein the rear panel is attached to a support 20 as taught by Cashel to provide a means to support the foldable display device.

Allowable Subject Matter

2. Claims 1-23 is allowed.


Response to Arguments

3. Applicant's arguments with respect to claim 23 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cassandra Davis whose telephone number is 571-272-6642. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cassandra Davis
Primary Examiner
Art Unit 3611

CD
June 27, 2005

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